

JOURNAL
OF THE
House of Representatives
OF THE
REGULAR SESSION
OF THE
Fifty-first Legislature
OF THE
STATE OF TEXAS

BEGUN AND HELD AT
THE CITY OF AUSTIN

JANUARY 11, 1949

89452



A. C. Baldwin & Sons
Austin

TEXAS STATE LIBRARY
Austin, Texas

Mr. Jobe for today on motion of Mr. Chambers.

Mr. Tinsley for today on motion of Mr. Caston.

The following Member was granted leave of absence on account of illness:

Mr. Hull for today on motion of Mr. Abington.

Mr. Horany was granted leave of absence for today on account of the death of his father, on motion of Mr. Bryan.

COMMUNICATION FROM THE SECRETARY OF STATE

The Speaker laid before the House and had read the following communication:

January 25, 1949.

Honorable Durwood Manford,
Speaker House of Representatives
State Capitol
Austin, Texas

Dear Mr. Manford:

Please be advised that our files contain a letter written by Honorable J. R. Eanes, under date of January 13, 1949, to Governor Beauford H. Jester. This is a letter of resignation, effective as of that date, and a request that Governor Jester call a Special Election for State Representative for the 104th Representative District.

The letter bears a stamped receipt date of January 15, 1949 in the Governor's office, and the date filed in our Department, January 17, 1949.

Sincerely yours,

BEN RAMSEY,
Secretary of State.

RELATIVE TO ADMINISTERING
THE OATH OF OFFICE TO, AND
THE SEATING OF, HON.
W. E. HEATLY

Mr. Collie offered the following resolution:

H. S. R. No. 26.

Whereas, The Speaker has received notice from the Secretary of State to the effect that Mr. J. R. Eanes, Representative-Elect from the 104th

Representative District, on January 13, 1949, addressed a letter of resignation to Governor Beauford H. Jester in which he also requested that the Governor call a Special Election to fill the vacancy so created; and

Whereas, The Attorney General of Texas held, in an opinion appearing in the House Journal of Tuesday, January 25, that the Honorable W. E. Heatly, Representative from the 104th Representative District in the 50th Legislature, is the legal representative from that district until his successor has been elected and takes the oath of office as the representative from said district in the 51st Legislature; and

Whereas, The Honorable W. E. Heatly is now at the Bar of the House; therefore, be it

Resolved, That the Speaker appoint a committee of three to escort the Honorable W. E. Heatly to the Speaker's stand and that he be administered the constitutional oath of office, and thereby duly seated as a Member of the 51st Legislature and to remain as such until his successor has been duly elected, his election certified by the Secretary of State in the usual manner, and he takes the oath of office as successor to the Honorable W. E. Heatly.

The resolution was read and was adopted by the following vote:

Yeas—117

Abington	Daniel
Bell	Etheredge
Benton	Flanagan
Bergman	Fleming
Bradshaw	Fly
Briscoe	Gandy
Brooks	Gardner
of Jefferson	Gathings
Brooks	Godard
of Red River	Graham
Bryan	Gregory
Cannon	Heflin
Carter	Heideke
Casey	Henderson
Cassity	Holstein
Caston	Holt
Caven	Isaacks
Chambers	Ivey
Cheatham	Jackson
Childress	James
Collie	Jameson
Cox	Johnson
Crosthwait	Jones